# Meeting Minutes

## Board of County Commissioners
## Hyde County

## April 16, 2012

Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 4:00 PM on Monday, April 16, 2012 in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Commons Room using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Sharon Spencer, Darlene Styron, Barry Swindell and Dick Tunnell; Attorney Fred Holscher; County Manager Mazie Smith; Deputy Clerk to the Board Lois Stotesberry; and, members of the public. The following members were present on Ocracoke: Deputy Clerk Jamie Carter; and, members of the public.

Following pledge of allegiance and opening prayer by Commissioner Swindell, the meeting was called to order.

**Agenda:**

Chairwoman Spencer asked for any changes to the April 16, 2012 meeting Agenda as presented by the Clerk.

Commissioner Byrd moved to approve the agenda with deletion of Item 9 – Public Hearing to Apply for CAMA Access Funds; Item 19 – Policy to Prohibit Vehicle Idling; and, Item 20 – Policy to Require Drug Testing and Criminal Background Checks on All New County Employees. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Closed Session:**

Commissioner Swindell moved to enter into closed session pursuant to G.S. N.C.G.S. 143-318.11(a)(6). Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Commissioner Byrd moved to recess closed session until the end of the Agenda. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Commissioner Styron moved to recess the regular Board meeting until 6:00 pm. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Board of Equalization and Review Recommendations:**

Chairwoman Spencer called the Board of Equalization and Review to order at 5:00 p.m.

| Board of E&R Recommendations | | | | | | |
|---|---|---|---|---|---|---|
| Name | Parcel | Description | Current Value | Recommendation | Change in Value | Recommended Value |
| Nancy Cotton | PRC 4276 | 5.00 acres | $159,800 | reduced to scrub land value | $3,750 | $156,050 |
| Kenneth G. McDermott | PRC 1449 | Pt. Lot 4 Bl. A. | $250,000 | Reduce to unbuildable lot due to size | $50,000 | $200,000 |
| Anne Yhon | PRC 4042 | Tract #1 W. S. Sparrow | $205,606 | Reduce to unbuildable lot | $63,856 | $141,750 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Grace Fincher | PRC 4126 | Tract #3 W. S. Sparrow | $186,000 | Reduce to unbuildable lot | $53,500 | $132,500 |
| ·van Quarter Landing, LLC | PRC 2548 | 27.18 acres | $1,374,671 | No change in value | 0 | $1,374,671 |
| Michael D. Burdette | PRC 15345 | 111.94 acres | $240,000 | No change in value | 0 | $240,000 |
| Michael D. Burdette | PRC 15348 | 8.65 acres | $185,000 | No change in value | 0 | $185,000 |
| Nina Skinner | PRC 537 | Lot #2 Bl. E | $345,000 | Reduce value | 234,000 | $111,000 |

Commissioner Byrd moved to approve the Board of Equalization and Review recommendations as presented by Tax Administrator Linda Basnight. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Commissioner Swindell moved to close Equalization and Review at 6:00 p.m. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Commissioner Styron moved to re-convene the regular Board meeting at 6:00 p.m. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Consideration of Minutes:**

Chairwoman Spencer asked for approval of meeting minutes.

Commissioner Byrd moved to approve the April 2, 2012 Commissioners regular meeting minutes as presented by the Clerk. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Public Comments:**

Chairwoman Spencer called for comments from the public.

Leslie Lanier, Ocracoke – commended the Ocracoke Occupancy Tax Board for putting children on the Island first by contributing to the ball field project.

George Chamberlin, Ocracoke – stated that Ocracoke Occupancy Tax funds were not used as intended; and, recommended appointment of a new Occupancy Tax Board who would use funds for tourism as originally intended. He recommended yearly appointments as stated in the Occupancy Tax Ordinance.

There being no further comments from the public, Chairwoman Spencer continued the meeting.

**Recognitions:**

**Recognition of National Junior Swan Calling Champion**

Allen Mason of Swan Quarter was recently named the National Junior Swan Calling Champion of the United States. Allen is 11 years old and in the 5th Grade at Mattamuskeet Elementary School. His grandmother, Pam Mason, works in the Clerk of Court's office and his father works for the N.C. Division of Ferries.

After a swan calling demonstration, Allen was presented a Certificate of Merit for Representing Hyde County in the Junior World Swan Calling Championship during the East Carolina Wildfowl Guild Wildlife Arts Festival.

**Employee of The Month**

Sheriff David Mason introduced Deputy Sargeant Jason Daniels as the April, 2012 employee of the month. Jason was a commercial fisherman who later attended Basic Law Enforcement Training (BLET) and worked as a corrections officer at Hyde Correctional. In 2003 he joined the Hyde County Sheriff's Office and is Sargeant on Ocracoke Island. Jason is a cancer survivor. He is married and has two children. He attends the Assembly of God Church.

Sheriff Mason and the Board thanked Jason for a job well done.

**Public Hearing:**

**NC DOT – Division of Aviation**

Commissioner Swindell moved to open public hearing on Remotely Piloted Aircraft (RPA) opportunity for Hyde County. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Bobby Walston, NC DOT Aviation Division, presented an economic development opportunity for which Hyde County is under consideration. Hyde County is well-positioned to become a leader in the emerging industry of remotely piloted aircraft without any added taxes or other funding from the County. Mr. Walston reported that with a strategic location and access to cutting-edge aviation expertise at nearby Elizabeth City State University, an RPA field at Hyde County Airport could attract national companies for testing, bring in potential new investments, and ultimately stimulate job growth. Mr. Walston stated that the Non-Piloted Aircraft Program would establish Hyde County and North Carolina as leaders in Remotely Piloted Aircraft.

Kris Noble, Grants Administrator read letters of support from Northeast Commission President Vann Rogerson, President, and Chairman Art Keeney.

Commissioner Byrd moved to close public hearing on Remotely Piloted Aircraft (RPA) opportunity for Hyde County. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Airport Resolution**

Commissioner Byrd moved to adopt Resolution on Remotely Piloted Aircraft (RPA) opportunity for Hyde County. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

*Clerk's Note: A copy of "Resolution In Support Of Remotely Piloted Aircraft (RPA) Opportunity for Hyde County" is attached herewith as Exhibit A and incorporated herein by reference.*

**Items of Consideration:**

**Proclamation of National County Government Month**

Manager Smith reported that Hyde County is celebrating 300 years of County government this year. This proclamation kicks off our celebration of the County's tri-centennial with a proclamation of National County Government Month. The theme for this year's celebration, "Healthy Counties, Healthy Families" supports the effort by county government to provide services that improve the quality of life for all citizens.

Commissioner Byrd moved to adopt Proclamation – National County Government Month – April 2012 "Healthy Counties, Healthy Families". Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

*Clerk's Note: A copy of "Proclamation – National County Government Month – April 2012 "Healthy Counties, Healthy Families" is attached herewith as Exhibit B and incorporated herein by reference.*

**Proclamation of Public Health Month**

Manager Smith recognized the public health's 132 years of service to the residents of North Carolina and the immeasurable contribution of these services to the quality of life in our State.

Chairwoman Spencer commended Health Director Wes Smith and his staff for a job well done.

Commissioner Swindell moved to adopt Proclamation – "Public Health Month – April 2012". Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

*Clerk's Note: A copy of "Proclamation – Public Health Month – April 2012" is attached herewith as Exhibit C and incorporated herein by reference.*

**Resolution in Support of Beach Access Legislation**

Megan Shaw, Public Information Officer (PIO) presented resolution in support of H.R. 4094, which will restore pedestrian and vehicular access to Cape Hatteras National Seashore.

Commissioner Styron moved to adopt Resolution – In Support of H.R. 4094, "Preserving Access of Cape Hatteras National Seashore Recreational Area" Act. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

*Clerk's Note: A copy of Resolution – In Support of H.R. 4094, "Preserving Access of Cape Hatteras National Seashore Recreational Area" Act is attached herewith as Exhibit D and incorporated herein by reference.*

**Resolution Supporting The Development of Protocols to Measure Sea-Level Rise**

Manager Smith reported that the Counties bordering North Carolina's coastland are banding together through NC20 to ask that protocols be developed that articulate the precise methodology to be used to measure sea-level rise, and how it is recorded, interpreted and reported. The protocols should further be developed and approved with the strong aid and participation of local governments and other stakeholders.

Commissioner Swindell moved to adopt Resolution – Concerning North Carolina's Sea-Level Rise Reports, Policies and Monitoring Efforts Act. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

*Clerk's Note: A copy of "Resolution Concerning North Carolina's Sea-Level Rise Reports, Policies and Monitoring Efforts Act" is attached herewith as Exhibit E and incorporated herein by reference.*

Chairwoman Spencer reported that according to General Statutes, the Board of Commissioners may permit the County manager to appoint officers, employees and agents without first securing the Board's approval. A previous Hyde County Board of Commissioners had voted that all department head positions hired in Hyde County must be interviewed by a committee including a member of the Board of Commissioners and must be approved by the Board. The Commissioners have expressed interest in delegating the authority for all hiring decisions to the County Manager without Board involvement.

County Attorney Fred Holscher will research and give report at a later meeting.

**Recommendations by the Ocracoke Occupancy Tax Board for Distribution**

Commissioner Styron reported that the Ocracoke Occupancy Tax Board has made their recommendations for distribution of occupancy tax funds collected on the Island. These become part of the recommended budget distributions for fiscal year 2012-2013. According to Hyde County Ordinance which established the Occupancy Tax Board, the County may use the proceeds of the occupancy tax for any public purpose. The County Commissioners shall appoint two advisory committees.

Commissioner Styron moved to: 1) table discussion to the next regularly scheduled Board meeting; 2) send a copy of the Hyde County Occupancy Tax Board Ordinance and North Carolina General Statute creating tax boards in Hyde County to members of the Mainland and Ocracoke Occupancy Tax Boards; and 3) request copies of bylaws, minutes and financial statements from both boards. Ms. Spencer seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Memorandum of Understanding with NC Forestry Division**

Jane Hodges, Manager of Engelhard Airport, reported that a lease with the NC Division of Forest Resources and the County of Hyde is needed for the placement of fire retardant tanks and pumps at the Hyde County Airport. The lease will be in effect for five years.

Approval of the Memorandum of Understanding with the NC Division of Forest Resources is tabled pending Forestry Department attorney's review.

**Regional Hazard Mitigation Plan**

Justin Gibbs, Emergency Management Director, reported that Beaufort, Carteret, Craven, Hyde, Pamlico Counties and their incorporated jurisdictions propose to develop a regional hazard mitigation plan. This plan would incorporate five multi-jurisdictional hazard mitigation plans into one regional plan. Craven County would serve as the lead for the project. The grant monies would be sub-granted to all counties with Craven serving as the lead county and point of contact for invoice submittal and cost report reimbursement from the State of NC to the contractor. The grant would be managed by Craven County for all involved parties. Reimbursement method would be utilized. No up-front monies would be issued to Craven County or any other county. Actual costs incurred will be all that will be eligible for reimbursement. Scope of work to be determined by the five counties involved with input and guidance from NC Emergency Management staff.

Commissioner Swindell moved to execute "Agreement to Participate in the Regional Hazard Mitigation Plan for Beaufort, Carteret, Craven, Hyde & Pamlico Counties". Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Variance for Extended Use of FEMA Housing**

Justin Gibbs, Emergency Management Director, reported that on March 23, 2012, a 30-day variance extension to remain in FEMA temporary housing was granted to three families. Solomon and Bertha Cooper require a variance in order to remain in FEMA temporary housing beyond the mandated program completion.

Commissioner Byrd moved to permit a variance extension for Solomon and Bertha Cooper. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

## CDBG-CR Demolition Agreement

Chris Hilbert, Holland Consulting Planners, Inc., reported that on March 22, 2012, sealed bids were received for demolition of housing structures through the CDBG-Community Revitalization (CR) project more commonly known as the Lake Swamp Road Project. Blackwater Enterprises, Inc. submitted the lowest responsible lump sum bid on 4 of 4 housing structure demolitions.

**HOLLAND CONSULTING PLANNERS, INC.**

**FINAL BID TABULATION FORM**

**PROJECT:** _____ **BID OPENING DATE:** _____

**PRELIMINARY BID SUMAMRY (RA-7) REVIEWED/TABULATED BY:** _____ **(SEE ATTACHED)**

| CASE FILE # | ADDRESS | ACTUAL BID (TABULATED) | CONTRACTOR | RECOMMENDED AWARD ☑ | COMMENTS |
|---|---|---|---|---|---|
| 2 | 131 Lake Swamp Road Engelhard, NC | $3,400.00 | Jones & Smith Contractors | | Blackwater Enterprises, Inc., Lump sum bid ($12,000) (Jones & Smith lump sum bid (18,580) |
| | | $4,000.00 | Blackwater Enterprises, Inc. | ☑ | |
| | | | | | |
| | | | | | |
| 3 | 155 Lake Swamp Road Engelhard, NC | $600.00 | | | Blackwater Enterprises, Inc., Lump sum bid ($12,000) (Jones & Smith lump sum bid (18,580) |
| | | $1,500.00 | | ☑ | |
| | | | | | |
| | | | | | |
| 4 | 195 Lake Swamp Road Engelhard, NC | $4,700.00 | | | Blackwater Enterprises, Inc., Lump sum bid ($12,000) (Jones & Smith lump sum bid (18,580) |
| | | $1,500.00 | | ☑ | |
| | | | | | |
| | | | | | |
| LO-1 | 221 Sadie Weston Road Swan Quarter, NC | $9,880.00 | | | Blackwater Enterprises, Inc., Lump sum bid ($12,000) (Jones & Smith lump sum bid (18,580) |
| | | $5,000.00 | | ☑ | |
| | | | | | |
| | | | | | |

Commissioner Styron moved to award the CDBG-CR Project demolition contracts to Blackwater Enterprises, Inc. based on lowest lump sum bids. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

## Procedure Change for Funding Non-Profit Organizations

Manager Smith recommended change to the policy recently adopted that will guide the funding of non-profit agencies by the County. The recommended change allows non-profit organizations that are not required to have yearly audits to instead provide a copy of their IRS Form 990 with their application for funding. Ms. Smith also recommended that agencies be allowed to turn in their financial reports within 90 days after the end of the fiscal year.

Commissioner Byrd moved to approve the recommended changes to the Policy for Funding Non-Profit Organizations. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

## Appointment to BHM Regional Library Board

Manager Smith reported that Peter Vankevich of Ocracoke has accepted the position of Branch Librarian for the BHM Regional Library System. He therefore cannot serve on the Board of Trustees of the system. Therefore, a resident of Ocracoke Island should be appointed to fill his unexpired term.

Appointment to BHM Regional Library Board will be made at the regularly scheduled Board meeting on May 7.

**Request for Payment to Airport Committee Members for Meeting Attendance**

Jane Hodges, Airport Manager, reported that the Hyde County Airport Board voted in unison to request that the County pay each individual member $25 for every meeting they attend.

Request for payment to Airport Committee members died for lack of a motion.

**Appointment to Hyde County Recreation Commission**

Manager Smith reported that one appointment is still needed to the Hyde County Recreation Commission from Ocracoke. Contact information for appointees needs to be provided to the County Manager's office and a meeting schedule needs to be set.

Commissioner Styron moved to appoint Brian Carter to the Hyde County Recreation Commission representing Ocracoke. Mr. Tunnell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Information Needed for Committee Appointments**

Manager Smith reported that the Hyde County Board of Commissioners welcomes citizens' willingness to participate in local government decisions. One way of participating is by serving as a citizen member of one of the County's Commissions, Advisory Boards and/or Committees. Citizens applying for appointment to a County board, committee, advisory board, etc. need to complete an application for inclusion in the Hyde County Boards and Committees Log.

No action required. Commissioners will distribute the application form to Boards/Committees/ Advisory Boards that they have been appointed to represent Hyde County.

**Budgetary Matters:**

Mazie Smith, County Manager, reported that in accordance with the FY2011-2012 Budget Ordinance, Article XIX, Section I, two budget transfers were approved administratively.

Commissioner Swindell moved to approve administrative transfer of $5,000 in the Administration Department and $2,198 in the Health Department to align budget with expenses; and, to approve transfer of $37,000 and $12,500 in the Utilities Department to align budget with expenses. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Appointment of Emergency Manager**

Commissioner Swindell moved to appoint Justin Gibbs as Hyde County Emergency Manager. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**County Commissioners Reports:**

**Commissioner Swindell** – no report given.

**Commissioner Styron** – reported that she attended the Ocracoke Occupancy Tax Board meeting where requests for funding were discussed and the Ocracoke Civic and Business meeting. Ms. Styron announced that NPS Park Ranger Kenny Ballance will retire in October.

**Commissioner Byrd** – congratulated Justin Gibbs on his appointment as Director of Emergency Services.

**Commissioner Tunnell** – reported progress is being made on the Swan Quarter Dike cleanup project. Mr. Tunnell will set a date for the first Hyde County Recreation Commission meeting.

**Commissioner Spencer** – reported that she attended the Albemarle Commission meeting. Ms. Spencer thanked Manager Smith and Health Director Wesley Smith for their participation in Child Abuse Prevention week.

**County Manager's Report:**

Manager Smith reported that she will attend a Disaster Debris Workshop in Manteo on Tuesday; and, assessment of County facilities will be conducted on Ocracoke on Wednesday and on the mainland on Thursday. Ms. Smith will host the Northeast Regional County Manager's meeting on Thursday. She reminded everyone that the Hyde County 4-H Livestock Show will be on Wednesday, April 25. Ms. Smith mentioned National Volunteer Week and thanked all who participated during and since Hurricane Irene and the Volunteer Fire Departments who were critical to the recovery of Hyde County. She also commended Brian Carter, Eric Godbey and the Ocracoke EMS personnel for their life-savings efforts to the victim of a recent golf cart accident.

Chairwoman Spencer commended Edith Simpson, Rita Jones and Carol and Martin Evans for volunteer services since the hurricane and asked that they be invited to attend the next Board meeting.

**Closed Session:**

Commissioner Swindell moved to re-convene closed session pursuant to G.S. N.C.G.S. 143-318.11(a)(6) at 7:55 p.m. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

Commissioner Styron moved to come out of closed session. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell Nays – None

**Supplemental Information:**

**Department Reports**

Animal Control
Health Department
Code Enforcement/Inspections
Senior Center

**Other Information**
Albemarle Food Bank 24/7 – 365 Campaign
Board of Health Meeting Minutes, December 20, 2011
County Manager's Evaluation Form
NCDOT 2040 Plan Information
Hyde Transit Steering Committee Minutes

**Meeting Calendar**
**April, 2012**

| | |
|---|---|
| 04-16-2012 | Board of Commissioners Meeting, 4:00 p.m. |
| | Board of Equalization and Review 5:00 pm (if required) |
| 04-17-2012 | Disaster Debris Management Workshop for Local Governments, Manteo |
| 04-20-2012 | County Manager's Leadership Team Retreat, Engelhard |
| 04-25-2012 | Hyde County 4-H Livestock Show and Sale, Ponzer |
| 04-26-2012 | NCACC District Meeting, Williamston, 5:30 p.m. |
| 04-30-2012 | Broadband Meeting |

**May, 2012**

| | |
|---|---|
| 05-02-2012 | Disaster Debris Management Workshop for Local Governments, Edenton |
| 05-07-2012 | Board of Education Networking Session, Multi-Use Room, Hyde County |
| | Board of Commissioners Meeting, 6:00 p.m. |
| 05-11-2012 | British Cemetery 70th Anniversary Celebration |
| 05-14 - 18 | Budget Review Sessions (as needed) |
| 05-16-2012 | NCACC Legislative Grassroots Advocacy Meetings, Raleigh |
| 05-21-2012 | Board of Commissioners Meeting, 6:00 p.m. |
| | Public Hearing on FY2012-2013 Hyde County Budget |
| 05-28-2012 | Memorial Day Holiday (County offices closed) |

**Employment Anniversaries**

**April, 2012**

| | |
|---|---|
| 04-05-2012 | Clint Berry, Public Works (19 years) |
| 04-07-2012 | Jeremy Andrews, Sheriff's Department (4 years) |
| 04-17-2012 | Betty Gibbs, Social Services (12 years) |
| 04-23-2012 | Christina McCoy, Home Health (3 years) |
| 04-27-2012 | Portia Gibbs, Elections (11 years) |
| 04-30-2012 | Judy Midyette, Health Department (13 years) |

Commissioner Styron moved to adjourn the meeting. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron, Swindell and Tunnell  Nays – None

The meeting adjourned at 9:15 P.M.

Respectfully submitted:

Minutes approved on the 7th day of May, 2012.

Lois Stotesberry, Deputy Clerk
Hyde County Board of Commissioners

Sharon P. Spencer
Sharon Spencer, Chair
Hyde County Board of Commissioners

Attachments:

Exhibit A: *Resolution – "Resolution In Support Of Remotely Piloted Aircraft (RPA) Opportunity for Hyde County"*

Exhibit B: *Proclamation – "National County Government Month – April 2012 Healthy Counties, Healthy Families"*

Exhibit C: *Proclamation – "Public Health Month – April 2012"*

Exhibit D: *Resolution – In Support of H.R. 4094, "Preserving Access of Cape Hatteras National Seashore Recreational Area"*

Exhibit E: *Resolution – "Concerning North Carolina's Sea-Level Rise Reports, Policies and Monitoring Efforts"*

Since 1712

# HYDE COUNTY
## NORTH CAROLINA

**Hyde County Airport Board Resolution**
**On**
**Non Piloted Aircraft Program**

At the meeting of the Hyde County Airport Board on March 26, 2012, the following resolution was proposed and approved unanimously by the board:

BE IT THEREFORE RESOLVED: that the Hyde County Airport Board approves the concept for developing the Non Piloted Aircraft Program;

WHEREAS, the mission of the Hyde County Airport Board is to promote utilization of the Hyde County Airport;

WHEREAS, the Hyde County Airport supports the mission of the Federal Aviation Authorities mission to organize a Non Piloted Aircraft Program throughout the United States;

NOW THEREFORE BE IT RESOLVED: that the Hyde County Airport Board is in full support of a Non Piloted Aircraft Program for location in Hyde County, North Carolina.

This RESOLUTION is duly adopted the 26th of March 2012.

Signed:

Wilson Daughtry
Vice Chairman, Hyde County Airport Board

Since 1712

# HYDE COUNTY
## NORTH CAROLINA

## PROCLAMATION

**National County Government Month - April 2012**
**"Healthy Counties, Healthy Families"**

**WHEREAS,** the nation's 3,068 counties provide a variety of essential public services to communities serving more than 300 million Americans; and

**WHEREAS**, Hyde County and all counties take seriously their responsibility to protect and enhance the health, welfare and safety of its residents in sensible and cost-effective ways; and

**WHEREAS**, county governments are essential to America's healthcare system and are unique in their responsibility to both finance and deliver health services through public hospitals and clinics, local health departments, long-term care facilities, mental health services and substance abuse treatment, and coverage programs for the uninsured; and

**WHEREAS**, National Association of Counties President Lenny Eliason is encouraging counties to promote healthy living and lifestyle choices in communities across the country through his 2011-12 "Healthy Counties" presidential initiative; and

**WHEREAS**, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote their own programs and services to the public they serve;

**WHEREAS**, Hyde County celebrates 300 years of organized government and associated services to its citizens in 2012;

**NOW, THEREFORE, BE IT RESOLVED THAT the Hyde County Board of Commissioners does hereby proclaim April, 2012 as National County Government Month, and encourages all County officials, employees, schools and residents to celebrate the privilege of democratic government and to support local government services.**

**Proclaimed this day, Monday, April 23, 2012.**

Sharon P. Spencer, Chairman

Mazie Swindell Smith, Clerk to the Board

Since 1712

HYDE COUNTY
NORTH CAROLINA

# PROCLAMATION

## PUBLIC HEALTH MONTH
## APRIL 2012

**WHEREAS**, we hereby recognize and acknowledge public health's 132 years of service to the residents of North Carolina and the immeasurable contribution of these services to the quality of life in our State; and

**WHEREAS**, North Carolina's public health system is a critical component of the state's emergency response to natural and man-made disasters and widespread disease outbreaks in North Carolina; and

**WHEREAS**, public health measures to control and eliminate infectious diseases, improve environmental sanitation, and promote healthy lifestyle practices have been the greatest cause of improved health status and increased life expectancy for North Carolina's residents, such that North Carolinians now have an average life expectancy at birth of more than 80 years; and

**WHEREAS**, public health plays a critical role in eliminating health inequities and preventing chronic diseases and injuries, resulting in improved productivity and decreased health care costs for all North Carolinians; and

**WHEREAS**, a continued focus on promoting public health programs that provide accessible, high quality medical care and that promote healthy lifestyles for women of childbearing has resulted in a more than 11percent decline in infant mortality, the lowest rate in the state's history; and

**WHEREAS**, a continued focus on prevention has resulted in a more than 29 percent decline in age-adjusted heart disease death rates since 2000, a more than 38 percent decline in age-adjusted stroke death rates since 2000, and an almost 35 percent decline in the teen pregnancy rate since 2000; and

**WHEREAS**, state government is committed to a continued emphasis on prevention in Public Health and helping North Carolina reach a better state of health through actions outlined in the Healthy North Carolina 2020 Objectives; and

**WHEREAS**, the Healthy North Carolina 2020 health objectives represent a 10-year plan to improve the health of all North Carolinians by working to promote access to preventive and needed health services; foster positive and supportive living and working conditions in our communities; and support individuals in developing the capacities and skills to achieve healthy living; and

**WHEREAS**, communities, employers, hospitals and health care providers, individuals and families, insurers, legislators and policy makers, schools and child care facilities must work together to identify and develop innovative solutions to health problems facing the people of North Carolina;

**NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners do hereby proclaim April 2012 as "PUBLIC HEALTH MONTH," and urge our citizens to recognize that public health is working to ensure that all people living in Hyde County are protected from threats such as influenza, food borne disease, injury and chronic diseases such as diabetes, heart disease and asthma.**

Adopted this the 16th day of April, 2012 in Hyde County, North Carolina.

Sharon P. Spencer

Sharon P. Spencer, Chair
Hyde County Board of Commissioners

Attested by:

Mazie S. Smith

Mazie S. Smith, Clerk to the Board
Hyde County Board of Commissioners

Since 1712

HYDE COUNTY
NORTH CAROLINA

# RESOLUTION

## IN SUPPORT OF H.R. 4094, "PRESERVING ACCESS OF CAPE HATTERAS NATIONAL SEASHORE RECREATIONAL AREA" ACT

**WHEREAS,** The Cape Hatteras National Seashore was established as America's first National Seashore in 1937 to create recreation for everyone, promote jobs after the Great Depression and preserve the pristine beaches of the barrier islands of North Carolina; and

**WHEREAS**, the National Park Service did not publish a beach management plan, as required in 1972 and thus operated on an "Interim Management Plan," (formerly adopted in 2007), which was carefully developed by NPS and contained public input and an Environmental Assessment; and

**WHEREAS,** federal lawsuits by special interest environmental groups led to the Interim Management Plan being replaced by the restrictive Consent Decree in 2008. Intended to protect species of shorebirds, the Consent Decree resulted in closure of the most popular spots, in the busiest times of the season; and

**WHEREAS,** the Consent Decree has now been replaced with a much more strict ORV Final Rule, which will cost the public an unreasonable amount of money to drive on the beach while still closing access to popular areas; and

**WHEREAS,** local businesses operating in the Seashore have reported declines in excess of 40 percent in revenue since the Consent Decree was enacted in 2008. In one of the poorest counties in the state, Hyde County relies heavily on tourism dollars generated by visitors to the Seashore. If access is further restricted, it will create a serious economic setback for residents and businesses owners of Hyde County; and

**WHEAREAS,** costs to implement the management strategies have created a burden on taxpayers that has exceeded one million dollars since the Consent Decree was implemented in 2008. With new measures in place, enforcement costs are expected to rise; and

**WHEREAS,** rules were put in place to protect species of shorebirds that are not listed as endangered and principal threats to these species, including predation and weather, were not factored in to the new rules; and

**WHEREAS,** evidence has shown access restrictions under the Consent Decree did little or nothing to help the said species; and

**WHEREAS,** only 749 parking spaces, including 25 handicapped, exist on Cape Hatteras National Seashore to serve more than two million visitors. This was not a planning oversight on behalf of NPS, rather part of the unique design of a network of ten access ramps to provide safe and direct path to the beach without disturbing the dune system. Lack of free and open access to the beach creates hardships for the majority of visitors to the Seashore, namely the elderly and disabled; and

**WHEREAS,** H.R. 4094 will restore access to Cape Hatteras National Seashore as it was during the Interim Management Plan, thus providing access for citizens, reasonable protection for wildlife on the Seashore and fulfilling the mission of America's first National Seashore: to create jobs, provide recreation and protect the pristine beaches of Ocracoke and Hatteras Island.

**NOW, THEREFORE BE IT RESOLVED that the Hyde County Board of Commissioners support H.R. 4094, "The Preserving Access to Cape Hatteras National Seashore Recreational Area Act" to provide fair access to beaches of Hyde and Dare counties, thus providing citizen recreation, promoting local jobs and protecting the natural balance of our beach ecosystem.**

Adopted this the 16th day of April, 2012 in Hyde County, North Carolina by the Hyde County Board of Commissioners.

Sharon P. Spencer

Sharon P. Spencer, Chair
Hyde County Board of Commissioners

Attested by:

Mazie S. Smith

Mazie S. Smith, Clerk to the Board
Hyde County Board of Commissioners

Since 1712

# HYDE COUNTY
## NORTH CAROLINA

## RESOLUTION
### Concerning North Carolina's Sea-Level Rise Reports, Policies and Monitoring Efforts

**WHEREAS,** the NC Division of Coastal Management, under the auspices of the NC Department of Environment and Natural Resources, is developing a sea-level rise policy predicated by a *"Literature Search"* issued in 2010 by the State Science Panel on Coastal Hazards entitled *"North Carolina Sea-Level Rise Assessment Report;"* and

**WHEREAS**, also the NC Division of Emergency Management, under the auspices of the NC Department of Crime Control and Public Safety, is preparing a separate study report entitled, *"North Carolina Sea-Rise Impact Study"* under the directives of the federal 2009 Department of Homeland Security Appropriations Bill that furnished $5 million for the study; and

**WHEREAS**, the NC Division of Emergency Management is utilizing the Science Panel's *2010 "North Carolina Sea-Level Rise Impact Study"* as a basis for their study report; and

**WHEREAS**, there has been considerable controversy and widespread disagreement regarding the sea-level rise projections provided in the Science Panel's 2010 Report and the embellishment of sea-level rise data provided in the historical record; and

**WHEREAS,** Hyde County has previously gone on record with its concern as to how exaggerated sea-level rise projections and resulting policy/rules can cause irreparable economic harm to the coastal plain of North Carolina by adversely changing land/property values, uses, insurance coverage and construction/maintenance costs to both private and public infrastructure; and

**WHEREAS,** the current draft of the NC Division of Coastal Management sea-level rise policy and draft materials for the NC Division of Emergency Management 's study report both include directives calling for additional sea-level monitoring and the revisitation/re-establishment of sea-level rise at periodic intervals; and

**WHEREAS,** considering the impacts to human health and economies in the region that are associated with understanding and reporting sea-level, and the fact there continues to be a great deal of uncertainty regarding future sea-level rise rates;

**NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners that Hyde County requests the development of protocols articulating the precise methodology to how sea-level is to be measured, recorded, interpreted and reported.

**BE IT FURTHER RESOLVED** that these protocols must be developed and approved with the strong aid and participation of local governments and other stakeholders.

**BE IT ALSO RESOLVED** that the aforesaid State Agencies discontinue promotion, education and implementation of any sea-level rise policies until there is verifiable scientific proof of the current rate of sea-level rise and an acceleration of this rate is observed by the methods agreed upon as stated immediately above, and are found to be hazardous to future uses of coastal property in North Carolina.

**Adopted this day, Monday, April 16th, 2012.**

Sharon P. Spencer, Chairman

Mazie Swindell Smith, Clerk to the Board